

BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Mountain Broadcasting Corporation	)	MB Docket No. _____
Amendment of Section 73.622(i)	)	RM- _____
Digital Television Table of Allotments	)	
(Newton, New Jersey and West Caldwell,	)	
New Jersey)	)	

To: Secretary, FCC  
For: Chief, Video Division, Media Bureau

**PETITION FOR RULEMAKING**

Mountain Broadcasting Corporation ("MBC"), licensee of full power commercial television station WMBC-TV, Newton, New Jersey, Facility ID No. 43592 ("WMBC-TV"), by its counsel and pursuant to Section 307(b) of the Communications Act of 1934, as amended (the "Act"), and Section 1.420(i) of the Commission's rules,<sup>1</sup> hereby submits this Petition for Rulemaking ("Petition") to request that the Commission amend the DTV Table of Allotments<sup>2</sup> to delete channel 18 at Newton, New Jersey and substitute channel 18 at West Caldwell, New Jersey.

Consistent with Section 1.420(i) of the Commission's rules, MBC requests that the WMBC-TV license be modified to specify the new community of license without allowing competing applications.<sup>3</sup> No technical changes are necessary or proposed in order to accomplish

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<sup>1</sup> 47 U.S.C. § 307(b); 47 C.F.R. § 1.420(i).

<sup>2</sup> 47 C.F.R. § 73.622(i).

<sup>3</sup> See *Modification of FM and TV Authorizations to Specify a New Community of License*, Report and Order, 4 FCC Rcd 4870 (1989) ("*Change of Community R&O*"), recon. granted in part, Memorandum Opinion and Order, 5 FCC Rcd 7094 (1990) ("*Reconsideration Order*").

this community of license change. In this regard, MBC notes that on January 12, 2018, the Commission released a Public Notice<sup>4</sup> lifting the freeze on filing Petitions for Rulemaking to change the community of license of full power television stations.<sup>5</sup> For the reasons set forth below, MBC submits that a grant of this Petition would result in an overall preferential arrangement of allotments by affording West Caldwell its first local television service, while not adversely affecting existing service available to Newton.

**I. The Petition Complies with Section 1.420(i) of the Commission's Rules**

Section 1.420(i) of the Commission's rules permits the modification of a station's license to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest.<sup>6</sup> This procedure is limited to situations in which:

1) the new allotment would be mutually exclusive with the existing allotment; 2) the reallocation will result in a preferential arrangement of allotments according to the Commission's television allotment priorities; and 3) the change would not deprive a community of its sole broadcast station.<sup>7</sup>

As an initial matter, the proposal to reallocate channel 18 to West Caldwell would not affect either the technical specifications currently authorized for WMBC-TV, or the modified

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<sup>4</sup> *Media Bureau Partially Lifts the Freeze on the Filing of Petitions for Rulemaking to Change Full Power Television Stations Communities of License*, DA 18-40 (2018). This Petition is consistent with the parameters set forth in the foregoing Public Notice because it does not involve a change in the station's currently authorized technical facilities.

<sup>5</sup> *Freeze on the Filing of Petitions for Digital Channel Substitutions, Effective Immediately*, Public Notice, 26 FCC Rcd 7721 (2011) ("Freeze Public Notice").

<sup>6</sup> 47 C.F.R. § 1.420(i).

<sup>7</sup> See, e.g., *Columbia and Edenton, North Carolina*, Notice of Proposed Rulemaking, 19 FCC Rcd 14618, 14618-19 (Vid. Div., MB 2004) (citing *Change of Community R&O*).

specifications proposed in its pending minor modification CP application.<sup>8</sup> The proposed new allotment therefore is mutually exclusive with the station's existing allotment, thus complying with the first criterion above. The second criterion is satisfied because, as shown below in the next section, the proposed reallocation will result in a preferential arrangement of allotments. Finally, as the Commission explained in its *Reconsideration Order* at para. 17, it will consider petitions to move a community's sole transmission service where the proposed new community of license might better serve the public interest.<sup>9</sup> In making these public interest determinations, the Commission has considered such factors as whether the proposed new community is larger and more populous, its economic importance to the surrounding area, ties between the licensee and the desired community of license, and expressions of support from local citizens and officials.<sup>10</sup> As detailed herein, this proposal would advance the public interest and would result in a preferential arrangement of allotments, *e.g.*, by providing the first local television service to the more populous and economically significant community of West Caldwell.

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<sup>8</sup> File No. 0000035693, filed Nov. 28, 2017. WMBC-TV's currently authorized technical facilities and its pending minor modification application meet the principal community coverage requirements of Section 73.625 (a) of the Commission's rules, 47 C.F.R. § 73.625 (a), with respect to both Newton and West Caldwell. Accordingly, this Petition does not necessitate a change in the station's technical facilities.

<sup>9</sup> See, *e.g.*, *Amendment of Section 73.622(b) Table of Allotments* (Columbia and Edenton, North Carolina), 20 FCC Rcd 12457 (2005) ("*Columbia/Edenton*").

<sup>10</sup> See, *e.g.*, *Amendment of Section 73.606(b), Table of Allotments, Television Broadcast Stations* (Ardmore, Oklahoma and Sherman, Texas), Report and Order, 7 FCC Rcd 4864 (1992), ¶¶ 2, 11 ("*Ardmore/Sherman*"); *Columbia/Edenton*, ¶ 8; *Amendment of Section 73.622(i), Digital Television Broadcast Stations* (Block Island and Newport, Rhode Island), Notice of Proposed Rulemaking, 33 FCC Rcd 1887 (Vid. Div. 2018), ¶ 3 ("*Block Island/Newport*").



## **II. The Public Interest Would Be Served By Reallotment of Channel 18 to Provide the First Local Service to West Caldwell**

MBC acknowledges that it is proposing to remove the sole first local television service from Newton, NJ to create the sole first local television service for West Caldwell, NJ. As noted above, the Commission has stated that it will entertain requests to waive the general prohibition on the removal of a community's sole first local service under circumstances that better serve the public interest. As will be shown below, the situation here clearly warrants reallotment of channel 18 to West Caldwell.

### **A. A Grant of this Petition Would Result in a Preferential Arrangement of Allotments**

Section 307(b) of the Act requires the Commission to provide a "fair, efficient and equitable distribution of radio service" among the various States and communities in the United States.<sup>11</sup> In considering a proposal to reallocate a television station from one community to another, the Commission compares the existing allotment and the proposed allotment to determine whether the proposal will result in a preferential arrangement of allotments.<sup>12</sup> In making this determination, the Commission has long applied a series of five allotment priorities. Those television allotment priorities are to "(1) provide at least one television service to all parts of the United States; (2) provide each community with at least one television broadcast station; (3) provide a choice of at least two television services to all parts of the United States; (4) provide each community with at least two television broadcast stations; and (5) assign any remaining

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<sup>11</sup> 47 U.S.C. § 307(b).

<sup>12</sup> *Gray Television License, LLC and New Rushmore Radio, Inc., Amendment of Section 73.622(i) Digital Television Table of Allotments* (Scottsbluff, Nebraska and Sidney, Nebraska), Report and Order, 31 FCC Rcd 5204, 5205 n.7 (MB 2016) (citing *Amendment of Section 3.606 of the Commission's Rules and Regulations*, Sixth Report and Order, 41 FCC 148, 167-173 (1952)).

channels to communities based on population, geographic location, and the number of television services available to the community from stations located in other communities.”<sup>13</sup> Reallotment of channel 18 from Newton to West Caldwell represents a preferential allotment, *inter alia*, because West Caldwell is a larger and more populous community than Newton and would result in West Caldwell obtaining its first locally licensed television or radio station, while not affecting television service and coverage for Newton.<sup>14</sup>

West Caldwell, a township in Essex County, New Jersey, has a population 10,759,<sup>15</sup> more than Newton’s population of 7,997.<sup>16</sup> West Caldwell has robust local public services available to its 3,900 households, including an active local government with a Mayor and six-member Borough Council and public works, health, and public safety departments that include a 60 person volunteer fire department, a multi-department police force, first aid squad, and emergency management office. West Caldwell also has a municipal court and violations bureau, which includes, among other areas, jurisdiction over motor vehicle and ordinance violations that occur within the township.

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<sup>13</sup> *Id.*

<sup>14</sup> For example, the Commission recently opened a proceeding to remove a community’s first local television service because the new community of license would better serve the public interest by “providing a first reception service to a significantly sized population,” while continuing to provide the same over-the-air service to the prior community of license. *Block Island/Newport, supra*.

<sup>15</sup> U.S. Census Bureau American Fact Finder, available at [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml).

<sup>16</sup> U.S. Census Bureau American Fact Finder, available at [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml#](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml#).

West Caldwell shares a community recreation department and public school district with Caldwell borough, serving a combined population of more than 18,000 people.<sup>17</sup> The West Caldwell-Caldwell school district includes six schools and has more than 2,300 students enrolled<sup>18</sup> and over 200 classroom teachers.<sup>19</sup> In addition, West Caldwell is home to Essex County West Caldwell Tech, a diverse regional public career technical high school with more than 250 students and 30 teachers.<sup>20</sup> Caldwell also includes Caldwell University, a Catholic liberal arts university with approximately 2,200 undergraduate and graduate students.<sup>21</sup> The West Caldwell-Caldwell recreation department offers many recreation and athletic programs for adults and youth that promote community and inclusiveness.

Despite the size of the community and extensive availability of numerous local public services, currently no television or even AM or FM radio stations are licensed either to West Caldwell or Caldwell. While MBC understands that the Commission does not typically take radio stations into account in connection with petitions to amend the television table of allotments, we note that Newton is the community of license of several radio broadcast

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<sup>17</sup> According to the U.S. Census American Fact Finder, Caldwell Borough's population in 2010 was 7,822, available at [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml#](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml#).

<sup>18</sup> Township of West Caldwell, West Caldwell/Caldwell Public Schools, available at <http://www.westcaldwell.com/content/125/260/default.aspx>.

<sup>19</sup> National Center for Education Statistics, Caldwell-West Caldwell School District Information, available at [https://nces.ed.gov/ccd/districtsearch/district\\_detail.asp?Search=2&details=1&ID2=3402580&DistrictID=3402580](https://nces.ed.gov/ccd/districtsearch/district_detail.asp?Search=2&details=1&ID2=3402580&DistrictID=3402580).

<sup>20</sup> National Center for Education Statistics, West Caldwell Tech Information, available at [https://nces.ed.gov/ccd/schoolsearch/school\\_detail.asp?Search=1&DistrictID=3404800&ID=340480002080](https://nces.ed.gov/ccd/schoolsearch/school_detail.asp?Search=1&DistrictID=3404800&ID=340480002080).

<sup>21</sup> About Caldwell University, available at <https://www.caldwell.edu/about>.



stations.<sup>22</sup> More significantly, as explained above, television reception service to Newton would not be impacted by this proposal. Given the dynamic and vibrant environment in West Caldwell and its significantly larger population compared to Newton, allowing WMBC-TV to move its community of license to West Caldwell would result in a preferential arrangement of allotments and is consistent with FCC precedent allowing removal of a community's sole local television transmission service to advance the public interest.<sup>23</sup>

B. MBC Has Developed Substantial Ties to West Caldwell

Although nominally licensed to Newton, MBC has always viewed its mission as serving the entire northern New Jersey region, consistent with the Commission's recognition that television stations (unlike radio stations) are deemed to provide "an areawide, rather than a localized service."<sup>24</sup> Significantly, WMBC-TV is unique as a commercial television station that emphasizes and prioritizes news and events involving and of interest to residents of northern New Jersey – unlike some stations that, although nominally licensed to a specified New Jersey community, appear to focus more on events in New York City, with its much larger population and advertising base.<sup>25</sup>

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<sup>22</sup> A search of the Commission's Consolidated Database System and Licensing and Management System conducted on May 21, 2018 for West Caldwell and Caldwell, New Jersey yielded no results. The same search for Newton, New Jersey yielded one FM station, one AM station, and one low power FM station in addition to WMBC-TV.

<sup>23</sup> See, e.g., *Ardmore/Sherman*, *supra*; *Columbia/Edenton*, *supra*.

<sup>24</sup> See, e.g., *Cleveland Television Corp.*, 9 FCC 2d 1129 (Rev. Bd. 1982); *St. Louis Telecast, Inc.*, 22 FCC 625, 713 (1957).

<sup>25</sup> WMBC-TV's exemplary record serves to address the Commission's oft-stated goal to improve local television service to New Jersey. As the court noted in *Multi-State Communications, Inc. v. FCC.*, 728 F.2d 1519, 1522–23 (D.C. Cir. 1984) television viewers in New Jersey have suffered for decades "... due to incomplete coverage of local events. See, e.g., *Petition for Inquiry Into the Need for Adequate Television Service for the State of New Jersey*, 58 FCC 2d 790 (continued)...

WMBC-TV's programming emphasizes a family-oriented schedule to provide viewers of all ages non-violent, enriching, entertaining, and educational programs. Among the programming formats currently offered by WMBC-TV are the following:

- Local News and Community Affairs

WMBC-TV News is broadcast weekdays from 5 p.m. to 6 p.m. From headlines that grip the nation to inspiring stories from communities across northern New Jersey, including Sussex, Morris, Passaic, Essex, Bergen, and Hudson Counties, as well as quality-of-life issues affecting residents throughout the region, WMBC-TV news brings viewers current events without the hype, along with untold stories from localities spanning the northern New Jersey region. In addition, WMBC-TV produces the local program "Hometown," a weekly news magazine featuring community issues and events. Local leaders and homegrown talent participate in an interview segment featured in the show.

- Ethnic Programming

WMBC-TV endeavors to serve television audience segments seeking programming in a variety of languages. The station's broadcasts have included programs in Chinese, Korean, Indian, Spanish, Armenian and other languages, reflecting the international diversity of those cultures in the northern New Jersey and throughout WMBC-TV's tri-state coverage area.

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(1976); *Second Report and Order*, 59 FCC2d 1386 (1976); *Third Report and Order*, 62 FCC 2d 604 (1976)"; *see also* 128 Cong. Rec. S3160 (daily ed. Mar. 31, 1982) (statement of Sen. Bill Bradley) ("On several occasions, I have stood on this floor to explain ... how important this issue is to the people of my State. Unfortunately, half of the State learns about New Jersey primarily from the perspective of New York and the other half of the State sees New Jersey from the eyes of Philadelphia.")



- Christian Fellowship

WMBC-TV airs and produces programming that features inspirational messages, discussion, music, and information. For example, the program “Mountain Views” provides a weekly discussion forum for local pastors to present their church ministries and cover the ideas, issues, and projects of Christian churches in the WMBC-TV service area.

- Children’s Programming

WMBC-TV presents a wide variety of children’s programming intended to be educational, fun, and uplifting – with a particular emphasis on programs designed to educate or inform children age 16 and younger.

Given its extensive efforts to cover news and community events throughout northern New Jersey and beyond, MBC chose to establish its modern studio facility and corporate office in West Caldwell. This site, near the intersection of important interstate thoroughfares I-80 and I-280, has provided a convenient centralized location with excellent access to the principal population centers of the region. Prior to moving WMBC-TV’s headquarters to the facility in West Caldwell in 2001, MBC made extensive upgrades to modernize the building and office space for television production, traffic management, master control operations, and business office use. The result is a 35,000 square foot updated building, grounds, and parking lot on a five-acre property, located only about five miles from the station’s transmitter and tower in Montclair.

WMBC-TV’s state-of-the-art master control center is staffed for around the clock operations. The fiber-optic/satellite reception facility is environmentally controlled, and there are three main video production studios equipped with contemporary modular set designs and virtual sets. The studios also have full lighting grids, high-definition cameras, fully equipped

control rooms, Mac-equipped edit and graphics suites, and high-definition/4K-ready ENG equipment. There is also a dedicated and secure satellite dish farm installed on the premises.

WMBC-TV's efforts to fill the void in local coverage of news and events of interest to Northern New Jersey are widely recognized. For example, the station has been the recipient of numerous Garden State Journalists Awards over the years, including in 2016, when the station received the Media Champion of the Year award from the New Jersey State Senate and General Assembly. *See Exhibit 1.*

WMBC-TV's headquarters and studio facilities in West Caldwell produce anywhere from 26 to 37 hours of original programming per month, including holiday music specials, public service announcements, and regular community bulletin boards. Over the years, the number of individuals employed at the West Caldwell location has ranged from 20 to 30 full-time employees. WMBC-TV actively recruits from the local community for job openings by participating in job fairs and recruitment efforts at Caldwell College and Montclair University. Moreover, many members of the station staff live in the West Caldwell-Caldwell area, including four of the station's key executives and employees: the News Director, Master Control Operator, Traffic Manager and Anchor-Reporter.

Since moving its headquarters to West Caldwell in 2001, WMBC-TV has made considerable efforts to engage with and to give back to the local community. Every year for almost twenty years, WMBC-TV has awarded a scholarship (initially \$1,000 and recently increased to \$2,000) to college-bound high school graduating seniors from local high schools in the station's New Jersey viewing area, including James Caldwell High School in West Caldwell, West Essex Regional High School in North Caldwell, and others. Each scholarship is presented with a formal plaque of recognition to a student with high academic achievement, financial need,

and a demonstrated interest and plan to pursue studies in broadcasting, communications, or video production. *See Exhibit 2.*

Over the years, WMBC-TV has provided free station tours to groups and members of the community of all ages. These include youth civic organizations like Pack 9 Tiger Scouts of West Caldwell; the West Caldwell Cub Scouts; the Trinity Tigers, Den 2 of West Caldwell; the Tiger Scouts, Den 2, Pack 856 of North Caldwell; and senior citizens from Cranes Mill at West Caldwell Retirement Community.

C. MBC's Proposal Enjoys Significant Local Support

WMBC-TV is proud of the recognition it has received for its role in the community and in New Jersey at every level. WMBC-TV has donated generously to the West Essex First Aid Squad to support emergency first aid and ambulance service in the West Essex area; supported the Caldwell/West Caldwell Municipal Alliance in its fundraising efforts to enhance its drug and alcohol awareness and prevention programs for residents in the area; sponsored the Rotary/Kiwanis Street Fair; contributed to the West Caldwell Township's Centennial Celebration Fund; and supported the West Caldwell Public Library Building Fund. *See Exhibit 3.* The station greatly appreciates the frequent recognition, for example, from community individuals commending its coverage of a Rotary Club and Essex Valley School event; from the Life Source Church in West Caldwell; and from PNC Bank on the station's financial soundness, contribution to the local economy's growth, and valued role within the community. *See Exhibit 4.*

WMBC-TV is particularly gratified by the letter of support received from the Mayor of West Caldwell acknowledging WMBC-TV's excellent reputation and long-term relationship with the community. The Mayor's letter highlights the important investment in infrastructure the station has made in updating its headquarters and office space, the role the station has played in



improving the local economy and quality of life, and the responsible media coverage the station has provided to West Caldwell, the entire West Essex area, and northern New Jersey. The Mayor also pays tribute to upper management at WMBC-TV, noting in particular the team's professionalism, excellent character, and extraordinary generosity. *See* Exhibit 5.

### **III. MBC's Request Is Consistent With Precedent**

The situation presented here is analogous to the circumstances of the *Ardmore/Sherman* decision, *supra*. In that case, the Commission granted the request by K-Twelve, Ltd. to reallocate Ch. 12 from Ardmore, OK, the community's sole local broadcast service, to establish the first local transmission service in Sherman, TX, a community with approximately 28% greater population than Ardmore.<sup>26</sup> Here, the population of West Caldwell is about 34% greater than Newton, and when viewed with neighboring Caldwell (which, as noted above, shares many local services with West Caldwell), the size disparity is around 125%. The Commission's *Ardmore/Sherman* decision emphasized the fact that Sherman was located in a county with substantially more television households (TVHHs), as compiled by Nielsen, than Ardmore (37,600 vs. 17,900),<sup>27</sup> not unlike the situation here with 262,250 TVHHs in Essex County (where West Caldwell is located) vs. a mere 47,370 TVHHs in Newton's home county of Sussex.

In granting K-Twelve's request, the Commission also acknowledged Sherman's greater economic importance to the surrounding region,<sup>28</sup> as is the case here with respect to West Caldwell. For example, West Caldwell has a labor force of 5,820 compared to only 3,803 in Newton. There are 9,581 total employees in West Caldwell vs. 8,718 in Newton. Moreover,

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<sup>26</sup> *Ardmore/Sherman* at ¶ 3.

<sup>27</sup> *Id.* at ¶ 4.

<sup>28</sup> *Id.*

56.53% of West Caldwell residents have college degrees, compared to 31.4% in Newton. The median income in West Caldwell is \$106,234, nearly double that of Newton (\$57,339.) Home ownership in West Caldwell stands at 85.91%, whereas only 49.51% of Newton residents are homeowners. Additionally, the median annual household expenditures in West Caldwell of \$85,647 are substantially greater than the household expenditures of \$63,854 reported for Newton.<sup>29</sup>

Finally, and perhaps of greatest importance, the Commission took account of the strong ties the station had established with the City of Sherman over the years, and concluded that “formal recognition of this relationship is warranted.”<sup>30</sup> MBC is proud of the equally meaningful and longstanding bonds it has created with West Caldwell, as detailed in Section II.B. above. MBC submits that the significant connections established by WMBC-TV with West Caldwell merit acknowledgement through the amendment of the DTV Table of Allotments requested herein. Indeed, MBC seeks to reward and repay the incredible loyalty, support and encouragement it has received from a broad spectrum of community residents, leaders and organizations through designation of West Caldwell as WMBC-TV’s city of license.

#### **IV. Conclusion**

As demonstrated herein, reallocation of channel 18 from Newton to West Caldwell would result in a preferential arrangement of allotments. Given the substantial ties developed by MBC to the West Caldwell area over the years, modification of WMBC-TV’s community of license is entirely appropriate. Moreover, designation of West Caldwell as the station’s community of

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<sup>29</sup> See <https://www.zoomprospector.com/communities/nj/city/west-caldwell/3478510>; <https://www.zoomprospector.com/communities/nj/city/newton/3451930>.

<sup>30</sup> *Ardmore/Sherman* at ¶ 11.

license has garnered significant support from local leaders, and MBC's proposal falls squarely within prior Commission precedent. Accordingly, MBC respectfully requests that the Commission (1) amend the DTV Table of Allotments to delete channel 18 at Newton, New Jersey and substitute channel 18 at West Caldwell, New Jersey, and (2) modify the license of WMBC-TV to specify West Caldwell, New Jersey as its community of license pursuant to Section 1.420(i) of the Rules.

Respectfully submitted,

MOUNTAIN BROADCASTING CORPORATION

By:   
Arthur H. Harding  
GARVEY SCHUBERT BARER  
1000 Potomac Street, N.W., Suite 200  
Washington, DC 20007  
(202) 298-2528

Its Attorneys

Date: September 7, 2018

| [GSB:9228028.3](#)





## **Exhibit 1**




## Senate and General Assembly Citation

Commendations and praise are extended to  
**MMBC TV – Media Champion of the Year 2016**  
by the citizenry of the 25th New Jersey Legislative District,  
through their elected representatives, associated with TransOptions,  
a transportation-oriented non-profit organization that deliberst serbess that improbe  
mobility, the environment and oberall quality of life in northwestern New Jersey.

  
\_\_\_\_\_  
Anthony R. Bucco  
Senator

  
\_\_\_\_\_  
Michael Patrick Carroll  
Member of the General Assembly

September 28, 2016  
Date

  
\_\_\_\_\_  
Anthony M. Bucco  
Member of the General Assembly

## **Exhibit 2**



**CALDWELL-WEST CALDWELL PUBLIC SCHOOLS  
JAMES CALDWELL HIGH SCHOOL  
265 WESTVILLE AVENUE  
WEST CALDWELL NEW JERSEY 07006**

OFFICE OF COUNSELORS

(973) 228-9186

May 18, 2018

To Whom It May Concern:

WMBC-TV 63 (our local television station) right here in West Caldwell has been a strong supporter of James Caldwell High School students for 18 years.

We did not reach out to WMBC, they reached out to us!

Each year Mr. Cha gives one of our graduating seniors a generous \$2000. Check and beautiful, engraved plaque.

The criteria are quite straightforward; good academics, financial need and plans to pursue a career in some area of communications.

We have always been able to provide excellent candidates for the WMBC family to select from. Past recipients of the WMBC awards have gone on to pursue careers in media, production and public relations, as examples.

We continue to be so appreciative of WMBC's generous support of James Caldwell High School students.

Regards,

JCHS Guidance Department

### **Exhibit 3**

# WEST ESSEX FIRST AID SQUAD, Inc.

*Serving Caldwell, Essex Fells, Fairfield, North Caldwell and West Caldwell*

MEMBER, NEW JERSEY STATE FIRST AID COUNCIL AND  
INTERNATIONAL RESCUE AND EMERGENCY CARE ASSOCIATION  
REG. NO. CH0676300

*Headquarters*  
642 BLOOMFIELD AVE.  
WEST CALDWELL, NJ 07006

P.O. BOX 662, WEST CALDWELL, NJ 07007-0662  
EMERGENCY PHONE  
911

April 24, 2006

WMBC-TV 63  
99 Clinton Road  
West Caldwell, New Jersey 07006

Dear Friends:

Thank you very much for the generous donation of \$300.00. It is because of people like you that the West Essex First Aid Squad is able to provide emergency first aid and ambulance service to the municipalities of the West Essex area.

As you may be aware, the squad is not a government agency. As a result, we depend on support from the citizens in the area. All fundraising is conducted locally and all services are, in turn, provided right back to the people in our local communities.

Thank you again for your generosity.

Sincerely,



Barbara Ashton, Vice President  
Fund Drive Chairman

The West Essex First Aid Squad provided no goods or services in exchange for this donation.



**The West Essex First Aid Squad**  
**acknowledges with thanks your contribution**

**in the amount of**

*1000.<sup>00</sup>*

**Donated in the memory of**

*Bill Gayne*

**The family has been notified of your donation**

***The Caldwell / West Caldwell Municipal Alliance  
1 Provost Square  
Caldwell, New Jersey 07006***

March 5, 2008

Mr. Victor Joo  
General Manager  
WMBC-TV  
99 Clinton Road  
West Caldwell, NJ 07006

Dear Mr. Joo:

On behalf the Caldwell / West Caldwell Municipal Alliance, I thank you for supporting our Third Annual Three on Three Tournament. Enclosed please find our ad journal and tee shirt in which your company's name appears.

This year was our best Three on Three Tournament to date. There was a great spirit in the air on February 29, 2008 when the event took place. In addition to over 200 people participating in this event and the many more who came to support the players, we reached our fundraising goal for this program.

I am happy to report that all of the proceeds for this event will go to the Caldwell / West Municipal Alliance. This money will be used to enhance our drug and alcohol awareness and prevention programs for residents of Caldwell and West Caldwell.

Thank you for your support.

Sincerely,



William Payne  
West Caldwell Councilman  
Chairman, Caldwell/West Caldwell Municipal Alliance

Cc: Kay Slattery, Borough of Caldwell Councilwoman

# The Progress

News of Caldwell · Essex Fells · Fairfield · North Caldwell · Roseland · West Caldwell

## Silver Sponsor

### 11<sup>th</sup> Annual Rotary / Kiwanis Street Fair



#### WMBC-TV Becomes A Silver Sponsor

Left to Right Sam Kent Rotary Chairman, Larry Wefferling Rotary President, Hansen Lau News Director, Victor C. Joo Station Manager and Lewis Wefferling Kiwanis



S.M. Kent Chairman  
Rotary-Kiwanis Street Fair





## A CENTENNIAL CELEBRATION

### Centennial Committee

Hon. William E. Payne  
Chairman

Robert L. Reiher  
Honorary Chairman

Robert C. Rubino  
Honorary Chairman

Roxanne Douglas  
Secretary

Susan M. Aiello

Beverly A. Afonso

Elaine M. Brodie

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Dr. Daniel Gerardi

Joan M. Hamilton

John B. Hamilton

Dr. Bernard M. Kruger

Elaine Lodato

Diane C. Malia

Edward H. Malia

Suanne L. McDonald

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Roy J. Ott

Deborah A. Podvey

Sherri Santasieri

Susan L. Sposato

Rosemarie M. Sutherlin

Gustave E. Walsack

### Mayor

Joseph Tempesta, Jr.

### Council

William E. Payne

Richard C. Norgard

Jane A. Cook

Ned M. Rosenberg

Joseph A. Fischer

Dominick J. Aiello

October 21, 2003

Mr. Victor C. Joo, General Manager  
Mountain Broadcasting Corp. WMBC-TV  
99 Clinton Road  
West Caldwell, NJ 07006

Dear Mr. Joo:

On behalf of the Mayor and Council and the West Caldwell Centennial Committee I want to take this opportunity to thank you for your generous contribution to the Township's Centennial Celebration Fund.


My apologies for the delay, but I intentionally waited to thank you until I had an opportunity to inform the Mayor & Council and the Centennial Committee.

Your contribution has set a standard for various levels of support which other companies and local businesses can emulate. As Thomas Cha noted during our meeting, "Platinum" sponsorship could be the first level of support and we can go from there to generate gold, silver, etc. Our committee is now looking into an appropriate way to present support levels to members of the business community.

You can be sure that I will be in touch with Thomas in the near future to take him up on his offer to help with promotional ideas and suggestions.

Once again, thank you for your consideration and support.

Sincerely,

  
William E. Payne  
Councilman & Chairman  
Centennial Committee

WEST CALDWELL CENTENNIAL COMMITTEE  
30 Clinton Road - West Caldwell, NJ 07006 - 973-226-2300

# A NEW CHAPTER

Dear Supporter of the West Caldwell Public Library,

The Friends of the West Caldwell Public Library want to thank you for your recent donation to the Library Building Fund.

In appreciation of your support, we are pleased to send you our quarterly newsletter "Infobytes" for the balance of 2003. This publication provides information on the various library activities as well as programs sponsored by the Friends. We hope you will find this information interesting.

Thank you again for your support of the Library.

Friends of the West Caldwell Public Library

## **Exhibit 4**

## Hansen Lau

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**From:** Hansen Lau  
**Sent:** Thursday, May 24, 2018 3:29 PM  
**To:** Hansen Lau  
**Subject:** FW: Good Afternoon

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**From:** pcecchinits@aol.com [mailto:pcecchinits@aol.com]  
**Sent:** Wednesday, April 20, 2016 10:30 AM  
**To:** Hansen Lau  
**Subject:** Re: Good Afternoon

Thanks again. Cannot express how much we appreciate the broadcast. Myself and many members of the Rotary and extended family of the Rotary and Kiwani's watched the story.  
From now on it's Channel 18 Verizon for me. You do a great deal of Jersey and Trenton news I would rather let my friends know about this at five. Many do NJTV at six but honestly I like your station better.

I appreciate it so much. It was like a dream come through for us.

Thanks again

Perry  
Job Developer  
551-2060-0081

Look forward to working with you in the near future.  
Be well

-----Original Message-----

From: Hansen Lau <hlau@wmbctv.com>  
To: 'pcecchinits@aol.com' <pcecchinits@aol.com>  
Cc: Mark Fontes <mfontes@wmbctv.com>  
Sent: Mon, Apr 18, 2016 10:33 am  
Subject: RE: Good Afternoon

Perry,

Thank you for informing us about this event at Essex Valley School and for assisting us in covering the donation made by the Rotary of the Caldwells. We are grateful to you, Mr. Kambourakis, Ms. Prasad, and Mayor Dassing for appearing in the report that aired on WMBC News (link below). We appreciate being part of a community that provides such a valuable service to our youth from all backgrounds. On behalf of the staff and management of WMBC-TV, we applaud Essex Valley School, the Rotary of the Caldwells, and the mayors of Caldwell and West Caldwell, NJ.

Best Regards,

**Hansen Lau**

News Director, WMBC News  
**LOCAL MEDIA TV, LLC | WMBC-TV**  
99 Clinton Road  
West Caldwell, NJ 07006  
(973) 852-0300 main  
(973) 808-5516 fax  
[hlau@wmbctv.com](mailto:hlau@wmbctv.com)  
[www.wmbctv.com](http://www.wmbctv.com)



<http://wmbctv.com/wmbctvnews/2016/04/14/essex-valley-school/>

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**From:** [pcecchinits@aol.com](mailto:pcecchinits@aol.com) [mailto:[pcecchinits@aol.com](mailto:pcecchinits@aol.com)]

**Sent:** Wednesday, April 13, 2016 11:51 AM

**To:** Hansen Lau

**Subject:** Fwd: Good Afternoon

I wish to express my deepest appreciation to WMBC News for it's coverage today of Essex Valley School. Special thanks to reporter, Mark Fontes for his professional expertise and assistance.

It was a wonderful event that will benefit our student population. On behalf of the Executive Director, Mr. Alan Lichtenstein, the administrative staff, teachers and students, again, many thanks.

I look forward to working with you in the future as our school role expands into the greater Caldwell area.

Perry Cecchini

Transition Coordinator/Community Relations Specialist

551-206-0081

—Original Message—

**From:** [pcecchinits <pcecchinits@aol.com>](mailto:pcecchinits@aol.com)

**To:** [news <news@WMBCTV.com>](mailto:news@WMBCTV.com)

**Sent:** Fri, Mar 18, 2016 1:14 pm

**Subject:** Good Afternoon

I am an employee at Essex Valley School. We are located directly up the street at the intersection of Clinton Road and Henderson Drive. Our school is a therapeutic and alternative setting for special education students with behavioral and social difficulties. I am a transition coordinator and assist the students in career interests and post secondary planning. The school has been in the process of engaging into the community, forming business partnerships and getting our students involved in project based learning. We have been featured in several articles this year in the Progress newspaper.

My reason for the contact is to seek your assistance for an event on **April 13th** at the school. I am a member of the Rotary of the Caldwell's. Under the direction of Alan Lichenstein, our Executive Director, the Essex Valley School applied for a charitable request to enable the school to offset expenses as we have opened an automotive program for our students. On April 13th, the Mayors of Caldwell and West Caldwell as well as invited guests from the Rotary will convene at the school @ **10:00am** for the presentation of the check from the Rotary. The Automotive shop as well as our culinary, cosmetology, music production, carpentry and art therapy programs assist our students to choose careers and be involved in their communities.

The Progress newspaper will cover the event and it would be great if we could get coverage from your station for this event and other important news in the future. It would be greatly appreciated.

Please contact me with any information or requests.

Thanks

Perry Cecchini

Transition Coordinator

551-206-0081



May 11th, 2018

WMBC-TV Station Management,

Greetings, I hope this letter finds you doing well. I write to extend my thanks for the opportunity to appear again on the broadcast of Mountain Views which I believe is a consistent encouragement and inspiration to many. As the Senior Pastor of Life Source Church which gathered on Sundays and Wednesdays on a weekly basis for several years at 31 Fairfield Avenue in West Caldwell we appreciate your presence in the community. In the years we were located in Caldwell/West Caldwell we witnessed the diversity of the the town socioeconomically, ethnically, and generationally as well as an increased diversity of industries that occupy the township. Life Source Church is a ministry that invested in the community with concerts, egg hunts, seminars, and various outreaches and we view WMBC-TV as having a similar desire to benefit the West Caldwell area.

Thank you again for the opportunity to take part in the production of the Mountain Views program. I truly appreciate the kindness and hospitality of the staff that I receive every time I am at the WMBC-TV studios.

Sincerely,

Rev. Jonathan F. Papa, M.A.

*Senior Pastor*

*Life Source Church*



May 22, 2018

Dear Sir Or Madame:

I am pleased to write this letter of support for WMBC-TV, a business customer of PNC Bank of West Caldwell, NJ, for the past 10+ years. The company is a well-managed and financially solid organization, both as a corporate client and local employer.

In recent years, we have seen West Caldwell, NJ, undergo steady growth in its commercial and residential activity, which has bolstered the township's economic profile in the region. With their main office, technical facilities and production studios located in West Caldwell, WMBC-TV has contributed to this positive trend.

On a personal level, I and the staff at our West Caldwell branch have always found the management at WMBC-TV to be cordial and responsible neighbors. We consider the company a valued member of the expanding community.

If you should have any questions, please feel free to contact me. Thank you.

Sincerely,

A handwritten signature in blue ink that reads 'Vianela Peña Campbell'.

**Vianela Peña Campbell**  
VP, Relationship Manager  
Business Banking Division

**PNC Bank**  
57 Park Street (J2-J171-01-1)  
Montclair, NJ 07042  
(p) 973-509-5014 | (c) 973-886-9289 | (f) 866-886-0397  
vianela.campbell@pnc.com

## **Exhibit 5**



TOWNSHIP OF



WEST CALDWELL

OFFICE OF THE MAYOR

HON. JOSEPH TEMPESTA, JR.

To Whom It May Concern:

I am writing in support of WMBC-TV. This company has a long-term relationship and a great reputation and tradition in being a great neighbor in the Township of West Caldwell. In short, WMBC-TV represents the best that our community of West Caldwell has to offer.

For nearly 20 years WMBC-TV has been a great corporate citizen employing many people from our area, contributing to worthy causes including The Township of West Caldwell's Library which services many children, families and senior citizens every day.

Over the years WMBC-TV have made significant investments in infrastructure to their headquarters building including their studios and offices. This not only demonstrates the success of their company and their willingness to invest in their capital both human and building, but also shows their commitment to the community of West Caldwell. In my 34 years of public service in West Caldwell, I have seen the township grow in regional prominence and can say that WMBC-TV has contributed significantly to the trend of improving our local economy and quality of life.

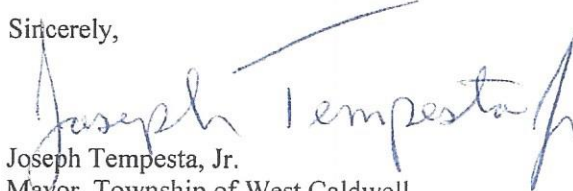
Furthermore, WMBC has always given very responsible and constructive media coverage not only in West Caldwell, but also to the entire West Essex Area as well as throughout northern NJ. Their reputation is impeccable and well known throughout Northern New Jersey and the greater New York Metropolitan area.

Throughout my career, I have literally met hundreds if not thousands of people over the years working in corporate America as well as state and local government. I have come to know personally the management team of WMBC and I can honestly say they are among the most professional and respectful people I have had the pleasure of meeting.

Perhaps most importantly, in a society that often times criticizes the lack of solid corporate values, I would be proud to recommend the services of WMBC-TV and the greatest compliment I can give them is that I am a better person to have become friends with the upper management and totally trust their judgment, their character, and their extraordinary generosity.

Thank you very much for allowing me the privilege of supporting WMBC-TV. If you need any additional information do not hesitate to call me at 973-303-8848. Thank you.

Sincerely,

  
Joseph Tempesta, Jr.  
Mayor, Township of West Caldwell